

# NOTICE OF PUBLIC HEARING PROPOSED ZONING ORDINANCE AMENDMENT

The Bear Lake Township Planning Commission will hold a Special Meeting / Public Hearing at 6:30 p.m. on Monday, December 13, 2021, at the Bear Lake Township Hall, 7771 Lake Street, Bear Lake, MI, 49614; phone: (231) 864-3620. The special meeting will be held to consider multiple proposed amendments to the Bear Lake Township Zoning Ordinance.

The Zoning Amendments have been prepared to address Definitions, General Provisions, Resort Residential District, and Residential District.

Hearing Purpose: Amendment to the Bear Lake Township Zoning Ordinance as follows:

## Article 5 – Definitions

### Add the following:

#### Corner lot

A lot or parcel on which at least two (2) adjacent sides abut for their full length upon a street. In the case of a corner lot, there shall be front yard setback along each street and the remaining setbacks shall be side yard setbacks.

#### Double-frontage lot

A lot other than a corner lot with frontage on more than one street other than an alley. In the case of a double-frontage lot, there shall be a front yard setback along each street and the remaining setbacks shall be side yard setbacks.

#### Established front yard

The parcel line where the driveway and address for the principal dwelling are assigned on a parcel.

#### Essential services

Services and utilities needed for the health, safety, and general welfare of the community, such as underground, surface, or overhead electrical, gas, telephone, steam, water, sewage, recycling, and other utilities and the equipment, facilities, and appurtenances necessary for such systems to furnish an adequate level of service for the Township.

### Amend the following:

#### 519 - Floor Area

The habitable ground floor area of a building or structure, exclusive of garage, breezeway, or porches; OR the habitable second floor area if a garage is contained on the ground floor, exclusive of breezeway, porches, or three-seasons rooms.

#### 547 - Setback Lines

The minimum horizontal distance between one's building, including steps and unenclosed porches, and the boundary of one's parcel of land or in those cases where the parcel adjoins an established roadway, then the minimum horizontal distance between the building and the closest road right-of-way.

#### 559 – Yard

A space open to the sky, and unoccupied or unobstructed except by encroachments specifically permitted under Article 10 - 1008 and 1014 of this Ordinance, on the same lot with a building or structure. Yard measurements shall be the minimum horizontal distances.

Front Yard: A yard extending across the full width of parcel between the front parcel line and the nearest line of the main building. In the case where there is a parcel with a lakefront parcel line, the front yard is the waterfront yard.

Rear Yard: A yard extending across the full width of the parcel between the rear parcel line and the nearest line of the main building. In the case where there is a parcel with a lakefront parcel line, the rear yard shall be the yard extending across the full width of the parcel lying between the parcel line separating the road from the parcel and the nearest part of the principal building.

Side Yard: A yard extending from the front yard to the rear yard between the side parcel line and the nearest line of the main building or of accessory building attached thereto.

Waterfront Yard: A yard extending across the full width of the parcel lying between the nearest line of the principal building and waterfront parcel line. All regulations dealing with front yards shall also apply to waterfront yards.

## Article 10 – General Provisions

### Amend section 1017 – Location of Accessory Buildings and Structures to the following:

A. All accessory buildings and structures shall be in the side yard or rear yard, except when built as part of the main building. When built where the parcel abuts a body of water, the front yard is the waterfront yard and accessory buildings, or above grade structures are not permitted. When a road runs through a parcel, a 25-foot setback shall be applied to the portion of the parcel abutting the road right of way.

B. An accessory building attached to the principal building of a parcel shall be made structurally a part thereof, and shall comply in all respects with the requirements applicable to the principal building.

C. No accessory building attached to the dwelling in any residential district shall be larger than the 1.5x the square footage of the floor area of the principal structure or dwelling on the same parcel.

D. An accessory building and structure, unless connected with a roof at least four (4) feet wide attached and made part of the principal building as provided, shall not be closer than ten (10) feet to the principal building and/or any other above grade accessory building or structure, and shall meet all setback requirements of the district in which it is to be erected, moved or altered or used.

E. Except for waterfront properties, accessory buildings or structures may be located in a front yard in all Zoning Districts if all the following are met:

a. The property shall contain at least one (1) acre of land; OR is a double-frontage lot

b. The accessory structure is located to one side of the property and not in front of the principal dwelling as seen from the established front yard.

c. All yard setbacks shall be met.

d. The accessory building shall not be more than half the distance between the primary dwelling and the road right of way of the established front yard.

f. In all residential districts, on parcels of (1) acres or less, one detached accessory structure is permitted not to exceed 1,200 sq

ft. On parcels greater than (1) but less than (5) acres, a second detached accessory building is permitted not to exceed 1,500 sq.

ft. On parcels of (5) acres or more, the second detached accessory building may not exceed 2,000 sq. ft.

### Add section 1023 – Essential Services

The Planning Commission shall have the power to permit the use of lands and the erection and use of buildings and facilities for an essential service in any district. The Planning Commission may further authorize buildings in connection with an essential service to be constructed to a height or of a building area greater than permitted in the district upon a finding that such use, height and area is reasonably necessary for the public convenience and service.

## Article 40 – Resort Residential District, RR-1: Section 4002 – Minimums

### Amend subsection E. to the following:

Minimum setbacks, including all accessory buildings

(1) Front - 25 feet

(2) Rear - 25 feet

(3) Side - 10 feet

## Article 44 – Residential District, R-1: Section 4401 – Use Regulations

### Add the following:

Educational Services (82)

## Section 4402 – Minimums

### Amend subsection D. to the following:

Minimum setbacks, including all accessory buildings

(1) Front - 25 feet

(2) Rear - 25 feet

(3) Side - 10 feet

To view the proposed amendments, please contact the Township Clerk.

Deanna Pattison, Clerk

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Correspondence can be sent, or hand delivered to the Bear Lake Township Hall, 7771 Lake Street, P.O. Box 187, Bear Lake, MI 49614. All correspondences must be received by the end of business day, on the day prior to the meeting. Please, mark it ATTN: Planning Commission.